

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

TEXAS BANKERS ASSOCIATION;
RIO BANK, MCALLEN, TEXAS; and
AMERICAN BANKERS ASSOCIATION

Plaintiffs,

v.

Case No: 7:23-cv-00144

CONSUMER FINANCIAL PROTECTION
BUREAU; and ROHIT CHOPRA, in his official
capacity as Director of the Consumer Financial
Protection Bureau,

Defendants.

**PLAINTIFFS'/INTERVENORS'
JOINT NOTICE OF APPEAL**

Plaintiffs Texas Bankers Association, Rio Bank, and American Bankers Association, and Intervenor Texas First Bank, Independent Bankers Association of Texas, Independent Community Bankers of America, Texas Farm Credit, Farm Credit Council, Capital Farm Credit, XL Funding, LLC, Equipment Leasing and Finance Association, Rally Credit Union, America's Credit Unions (formerly Credit Union National Association), and Cornerstone Credit Union League hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Court's September 23, 2024 Final Judgment—ECF No. 123. That final judgment incorporates the Court's previous ruling—ECF No. 115—filed on August 26, 2024, addressing the parties' cross-motions for summary judgment (ECF Nos. 79 and 91) and Plaintiffs'/Intervenors' Motion to Supplement the Administrative Record (ECF No. 78).

October 23, 2024

Respectfully submitted.

/s/ John C. Sullivan

John C. Sullivan
Attorney-in-Charge
Texas Bar No. 24083920
S|L LAW PLLC
610 Uptown Boulevard, Suite 2000
Cedar Hill, TX 75104
Telephone: (469) 523-1351
Facsimile: (469) 613-0891
john.sullivan@the-sl-lawfirm.com

James J. Butera*
Ryan Israel*
MEEKS, BUTERA & ISRAEL PLLC
2020 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 795-9714
jbutera@meeksbi.com
risrael@meeksbi.com

Thomas Pinder*
Andrew Doersam*
AMERICAN BANKERS ASSOCIATION
1333 New Hampshire Avenue, NW
Washington, DC 20036
tpinder@aba.com
adoersam@aba.com

*Counsel for Plaintiffs Texas Bankers
Association, Rio Bank, and American
Bankers Association*

** admitted pro hac vice*

/s/ James Bowen

James Bowen
Elbert Lin
Erica Nicole Peterson
Jennifer Lauren Clyde
HUNTON ANDREWS KURTH LLP
1445 Ross Avenue, Suite 3700
Dallas, TX 75202
Telephone: (214) 468-3309
Facsimile: (214) 880-0011
jbowen@huntonak.com

*Counsel for Intervenors Texas First Bank,
Independent Bankers Association of Texas,
and Independent Community Bankers of
America*

/s/ Misha Tseytlin

Misha Tseytlin
Joseph J. Reilly
**TROUTMAN PEPPER HAMILTON SANDERS
LLP**
401 9th Street NW, Suite 1000
Washington, DC 20004
Telephone: (202) 274-2908
joseph.reilly@troutman.com

Daniel Gordon Gurwitz
ATLAS HALL RODRIGUEZ LLP
818 West Pecan Boulevard
McAllen, TX 78501
Telephone: (956) 682-5501
dgurwitz@atlashall.com

*Counsel for Intervenors Texas Farm Credit,
Farm Credit Council, and Capital Farm
Credit*

/s/ Owen Colin Babcock

Alan Bartlett Padfield
Kelsey Nicole Linendoll
Owen Colin Babcock
PADFIELD & STOUT LLP
421 West Third Street, Suite 910
Fort Worth, TX 76102
Telephone: (817) 338-1616
Facsimile: (817) 338-1610
obabcock@padfieldstout.com

*Counsel for Intervenors XL Funding, LLC,
and Equipment Leasing and Finance
Association*

/s/ Sarah J. Auchterlonie

Sarah J. Auchterlonie
**BROWNSTEIN HYATT FARBER SCHRECK,
LLP**
675 15th Street, Suite 2900
Denver, CO 80202
Telephone: (602) 362-0034
Facsimile: (303) 223-1111
sja@bhfs.com

*Counsel for Intervenors Rally Credit Union,
America's Credit Unions (formerly Credit
Union National Association), and
Cornerstone Credit Union League*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been filed on October 23, 2024, via the CM/ECF system and via email courtesy copy to Counsel for Defendants.

/s/ John C. Sullivan
John C. Sullivan

Counsel for Plaintiffs